1: Coon E-5 (1926-1927) 1931 MX3 Rif MX3

CHAPTER IX

PUBLIC BUILDINGS AND PUBLIC INSTRUCTION

MOSQUES AND SAINTS' TOMBS

346 THERE are three types of building which serve both social and religious purposes: the *thamsyitha n jkhothbath*, or cantonal mosque,[1] the *thamsajoth*, or village mosque,[2] and the *amrabt* (plural *imrabten*) or saint's tomb.[3]

The first, the cantonal mosque, is a large edifice, common to the whole *canton*, and to it come all the people of the *canton* for worship. It can be readily distinguished from lesser mosques by the fact that it bears a flag, green in the morning and white in the afternoon.

The second is the mosque of the *bone*, and there is one for each *bone* in the *canton*.

764 778 The third, the saint's tomb, may be a structure of some magnitude, a mere pile of stones, or simply an unmarked but nevertheless well-known place. It is supposed to be the grave of a saint, although often it is merely some place noted for the possession of some unusual natural feature, such as a large boulder, a spring, or a clump of trees, revered long before the advent of Islam. Whether it be a definite building, a marker, or merely a place, in any case it fulfills a definite function.

358 346 In each of these three types of religious edifice there is one man who has been appointed to take care of it, the *mokaddem* (plural *mokaddemin*) or "warden,"[4] who may be a man of learning or, in some cases, illiterate. He is the janitor and general caretaker. He brushes the floor, sees that the mats on them are in good repair, hoists the flag on the cantonal mosque, and occasionally substitutes as muezzin for the incumbent of this mosque.

428 794 The mosques and saints' tombs acquire land in a number of ways. When a man dies childless, and is displeased with his wife for having borne him no sons, or for some other reason, he may will a share of his land to the cantonal or village mosque or to a local saint's tomb. If he has sons but is not pleased with them, he may leave a share of his property to a mosque or tomb and the rest to his children.

[764] If, when about to die, he wishes to be buried within the mosque, he may buy his burial place with land to be given the mosque after his death. In this way he is interred under the floor of one of the rooms, and the warden has charge of the property so willed.

794 358 The warden of each public edifice has charge of the land belonging to it, and receives a portion of the produce. He does the farming on the land and cares for the trees, but if there is too much for him to do the village council enlists poor people to work with him, as previously related.

794 485 Any mosque, be it of the *canton* or merely of the *bone*, and any saint's tomb capable of providing shelter, serves as a free hotel for Riffians travelling from tribe to tribe. Lay

[1] From the Arabic *masjida el khutba*, meaning the "mosque of the Friday sermon."

[2] Likewise from *masjida*, and meaning literally "mosque."

[3] From the Arabic *mura'bat*. This word means either "living saint" or "dead saint"; the meaning given applies to the deceased variety and to the superstructure erected over his remains.

[4] This Arabic word is also employed to designate the "moderator" of the village council, as well as the "moderator" of the council of the great. See p. 96.

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actual owners of the machine are allowed to do so; and he collects from them the customary divisions of the oil which they squeeze. The village council of each *bone* makes out the list and the clerk writes it down and sees that it is followed.

Another duty of this latter official is making out papers of adoption for strangers who come into the *bone* to live and who wish to become affiliated with it.

The clerk also has charge of wills and inheritance. The head of each family may make a will on his deathbed, or at some time when he fears imminent death. To do this he summons the clerk, who writes down the terms of the bequests and takes the paper away with him. After the man has died he produces this paper, makes its contents public, and administers the estate.

Although most men, in making their wills, follow the traditional rules of inheritance, some bequeath their property unequally among their heirs, at times cutting individuals off entirely, and leave property to mosques or saints' tombs. No man is permitted, however, to disinherit his wife or wives.

In each tribe there is supposed to be a judge, appointed by the tribal council, and holding his office for life or good behavior. He has received a diploma from one of the four institutions previously mentioned. His appointment does not usually come, however, until long after his fulfilment of the requirements for this position. He is almost always a native of the tribe in which he is employed.

There was one in Beni Urriaghel, one in Beni Tuzin, and one in Gzennaya, at the time the Christians entered. The first judge in the Rif in modern times was Si Abd el Rahman of the Beni Yunes of the Gzennaya, who had dwelt long in Fez and married a Fezzi wife. The Gzennaya and Beni Urriaghel decided, about fifty years ago, that they would like to have a judge, and therefore sent men of the Gzennaya to Fez to persuade Si Abd el Rahman to come. On the way back from Fez, the Beni Ulid, who did not know that he was a judge, attacked him and his bodyguard in the night, killing him and capturing his wife and children. What remained of the bodyguard returned to the Rif and called together a great council of the tribes of Gzennaya, Beni Urriaghel, Temsaman, Beni Tuzin, Beni Amart, Beni Ulishk, Beni Said, and Metalsa. All these councillors, with their retainers, invaded Beni Ulid and devastated it, taking back the prisoners and loot, and exacting a fine of four thousand five hundred dollars.

Si Abd el Rahman's eldest son was made judge in his place, after him his brother, and after his brother his sons, in turn. Beni Urriaghel and Beni Tuzin later each established a judge, certified by that of Beni Yunes. Several others were set up and deposed in later times.

Every year each *fifth* presents the judge with a cow, five or six goats, and large quantities of all staple agricultural products. The judge in this way receives a large income, but is expected to spend most or all of it on hospitality. He settles disputes concerning landed property. Contestants bring their papers of ownership to him, and he decides which one really owns the property, then signs and seals the paper of the winner. The plaintiffs bring him presents of meat and sugar — any further gift would be considered bribery.

In the Senhaja Sghir the Sherif of Targuist acts as judge, except in Taghzuth, where there has been a judge for generations. Until the time of Abd el Krim, however, the judge of Taghzuth was influenced by the Sherif of Targuist.

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428 **Laws Governing Inheritance.** The following are the traditional rules of inheritance, usually adhered to in wills, and always followed when a man dies intestate:

1. The widow or widows receive an eighth of the property. This eighth is divided equally among the widows in case there are more than one.
2. The children collectively receive the remaining seven eighths. Each boy receives twice as much as each girl. In all of the following cases in which property is inherited jointly by brothers and sisters, the same principle applies, *i. e.*, equality between brothers and equality between sisters, with one brother counting as equal to two sisters.
3. When one or more of the children have died before the father's decease, the share of each dead child is counted out as well as that of each living child. The share of each dead child is divided into two equal parts, one of which is given its mother and the other divided in the usual manner between the living children.
4. In case there are no living children, the brothers and sisters of the deceased inherit the property which would otherwise go to these children. In other words, if the children have all died, the brothers and sisters of the deceased receive one half of the seven eighths left over after the widows' allowance has been deducted. If there never have been any children, the whole seven eighths goes to the brothers and sisters.
5. A childless widow returns to the *seia* of her parents, and may marry any man whom she wishes and who desires her. She may keep the property which she has inherited from her first husband after she has married her second.
6. A widow who is the mother of unmarried or dependent children is expected to marry a brother of her deceased husband. If she refuses to do so, she is not allowed to marry anyone else, unless her brother-in-law is willing to marry and divorce her, or to announce publicly that he relinquishes her. In case she marries a man who is not her brother-in-law, she loses her rights to her children, who go to live with her brother-in-law; but she still retains her rights to the property left her by her deceased husband. In case she does not want to remarry, either because her brother-in-law will not free her or for any other reason, she can go to the clerk, who will give her a document making her legally incapable of marrying in the future. This will protect her against her brother-in-law, or against suitors in general, as the case may be.
7. Widows whose children are grown up and married live with their sons, who support them.
8. When a woman dies who has been married more than once and has borne children by each marriage, the children of each marriage divide the property of the respective father, and all of them divide the property of their mother.
9. When a woman with children marries a man who has never been married, and bears no children to this second husband, the children of the woman inherit the property of their stepfather just as if he were their real father, provided that he has not in the meanwhile married another wife and had children by her, in which case the stepchildren receive none of his property.
10. When a woman who owns property dies, her children divide it in the usual way. If she leaves only girls, her own family gets half and the girls the other half. The half which goes to her family is divided between her brothers and sisters. If she has no brothers and sisters, as well as no sons, her father takes it; if she has no father, her mother takes it; and if she dies without relatives the *bone* divides it between the married men.

1: Coon E-5 (1926-1927) 1931 MX3 Rif MX3

11. Girls who have inherited property must give it up when they are married. They give it to their brothers, or, if they have none, to their paternal uncles or masculine paternal cousins. After marriage they cannot inherit except from their husbands. 428

12. When a man dies without near relatives in the *bone* his property is divided among those distantly related on the paternal side; in case the deceased was a stranger who took up residence in the territory of the *bone* and has taken out with the clerk a paper of adoption into it, his property is divided among the married men of the *bone*. If he has neglected to take out a paper of adoption, his relatives from afar have the right to come and claim his property.

3: Hart E-5 (1953-1954)1954 MX3 Rif MX3

The houses are widely scattered up and down the mountains, each one being at least three hundred meters away from the next. Its construction and situation reflect the independent spirit of its owner. Almost always isolated to at least this extent, such a dwelling is usually the residence of a man, his unmarried brothers an sisters, his wife or wives, and his unmarried children. This is only part of the family; the rest of it, living in similar houses the usual distance away, includes the man's married brothers and their wives and unmarried children. Thus the family, as it is know in Aith Wuryāghil, may consist of anywhere from one to ten separate households, and may number as many as fifty people, spread over three to four generations. Once the sons marry, they usually set up housekeeping on their own, but always within the family circle; when the daughters marry, they go to live with their husbands' people, for this is a patrilineal and patrilocal society. This extended family or *jājghū* (pl. *ijūjgha)* is a cooperative economic unit; the affiliations of in-marrying wives are with it rather than with the families from which they came. Once the last surviving member of the oldest generation dies off, the old *jājghū* splits into as many new *ijūjgha* as there were married brothers originally.

Ownership of property is concentrated in the hands of the elders of the *jājghū*, who parcel it out to their married sons on a provisional or on a permanent basis. If the former, the land goes back for redistribution among all the sons after the father's death; if the latter, the favored son needs a document signed by two *'adūl* proving that the land is his. If there are few sons, the eldest, if he is a sensible and honest man, is usually chosen to act as property administrator for all, when the father dies; but with many sons, the amount of land becomes too difficult to administer as a single unit; quarrels may develop, in which case the land is divided up among the sons, each one looking after his own share. The inheritance system follows standard Islamic practice, with the portion of one son equalling that of two daughters. If daughters whose share of the family property includes land marry into other villages or political sections, they are often induced to sell out their own holdings to their brothers so that the land will remain securely in the hands of the family. These are

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

59 i) Summary:--The Rifian family is patriarchal and patrilineal, agnatic and polygamous (i.e. polygynous). It needs to be large because of possible loss through feuds or lack of hygiene. Although 562 428 legally a woman inherits one-half of what a man does (i.e. sons inherit twice as much as daughters), Rifians interpret Muslim inheritance laws in their own way, through customs such as "men's habus"[49], or the return to her house of a divorced woman, whether this be Koranically sanctioned or not. A woman does not inherit but is, in effect, inherited[50]; she bears children but cannot give them her name. She works, but cannot buy or sell; she exists to give pleasure to her husband, and is maltreated in return; but she is probably happier 000 than many of her European counterparts.....In my own opinion, the (Spanish) Protectorate has improved the status of women...and I think that if the Rifians consider men to be the superior of the sexes, this is so undoubtedly because men had to protect their womenfolk constantly, with rifle in hand. They saw in them a cause of weakness, but recognized them as being necessary to group survival (sic!). The Rifian family needed a headman with unquestioned authority, rigorous discipline without sentimentality, and an automatic ability 562 to heal breaches. Women were exempt from feuding and had at their disposition their own markets, reserved for them exclusively; in a sense, they formed a society which was semi-independent from that of [926] men. In battle, they incited men to combat. The shift today (1935) [178] toward Koranic norms is more apparent than real, and is taking place at the cost of parallel diminution, at the same time, of the socio-political importance of the group.[51]

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

562 428 [421] [361] Women are always considered as minors[52]. They have no property and do not, in practice, inherit. It would never even occur to a woman to ask for her portion of the inheritance; this is, indeed, very logical in a rural and bellicose society (whose settlement morphology consists of) dispersed dwellings, for otherwise it would 562 have been impossible to defend a woman against bold attacks. She can only take refuge in either her husband's house or that of her agnates. But women wear new clothes, sing, and dance, etc., at weddings, and at least they seem happy; and they are able to plague their husbands in many, many ways.

596 613 4) Jajgu (pl. ijujga--so-called in Aith Waryaghar; jij, pl. ijajjen, "wall-peg",--also, alliteratively, "penis"--in Aith 'Ammarth and Igzinnayen; and azwar, pl. isuran, "vein",--also, alliteratively, "penis" in the Eastern Rif):--This is the most difficult social unit to study, because of its intermediacy[53]. It is one of the "family 596 branches"[54] (i.e. a branch of a dharfiqth or patri lineage). I 613 really cannot say more than this because informants, also, are unable 114 to explain it properly. In my earliest notes, it appeared to me to be a uterine descent group (SIC!). If a man had agnatic descendants from three wives, he thus produced three "branches" of which he was the "trunk". I now (1935) believe this to be the case, but am not completely sure, for if a man who has only one wife has three sons, these also, as points of descent, form (the bases of) three ijujga. In any case, it is understood that branches or ijujga originate from each type (i.e. point of descent), but I feel that the more important category is that originating from a different mother; and, although

684 As to adultery, in Kabylia and the Rif, the offending woman is killed,
171 while the Braber of the Middle Atlas and the Bedouins of Mauritania take care of the matter with a fine.

I recall hearing of young Rifian women "martyrized", roasted over a fire, whipped, enchained, hung from the main beams of their
562 houses, or with a pick stuck in their heads[65]. Women do not inherit
428 in Kabylia, nor even in the Rif, in practice; if they do, it is in
171 lesser proportion, and only in movable property. Among the Aith Ndhir of the Middle Atlas, on the other hand, a woman and her daughters can be inherited, and even Muslim law has not done much (1935) to modify this fact in that tribe.

562 Women are divorced whenever their husbands want to divorce
586 them, and they are even put in the position of being neither single
582 nor married, i.e. a general or conditional prohibition of marriage.
[171] A woman's husband must give her authorization to marry again, even though he is separated from her; this happens often in Kabylia and
562 is not rare in the Rif. Custom gives women the right of insurrection
586 (Blanco's italics) or refuge in their fathers' homes or in a zawiya
708 (residence of a virtuous or holy personage, and invariably associated
623 with a saint's tomb); and it gives their husbands the right to complain
[171] to the jma'th, a right which women cannot exercise themselves in Kabylia and which they can in the Rif and among the Berbers of the Middle and Central Atlases, although, however, they must make such complaints at a respectful distance from the council meeting or rather
627 through crying them out. This is always preferable to registration
171 of complaints through a Kabyle intermediary or a Muslin ukil (legal
562

000 [613] 47--An individual does not, sensu stricto, enter a liff on his own, but is rather affiliated automatically with the liff or wider alliance to which his lineage belongs, although he may later switch his allegiance to fracture lineage unity. (This is not uncommon.)

[191] 48--The number of Rifians who are adherents to Muslim religious brotherhoods (a wide-spread phenomenon in other parts of Morocco) is not large, although it has remained fairly constant even after Moroccan independence and the wane of the fraternities' influence on the Moroccan political scene. For a discussion of the role of [113] brotherhoods in Morocco, see F. S. Vidal, "Religious Brotherhoods and Moroccan Politics", Middle East Journal, 1950. ...The most important brotherhood in the Central Rif is the Darqawa, with adepts [668] in the Aith Waryaghar, Aith 'Ammarth and Igzinnayen; it is said that 'Abd al-Krim himself was a member of this order originally, but that on his rise to power he suppressed all brotherhood activities in a clean sweep in order to minimize the possibility of their turning against him. Other orders include the 'Alawiyin, among some of the mountain segments of the Aith Waryaghar, and the Tijaniyin and Nasiriyin in the Igzinnayen.

562 428 114 423 [794] 49--Here again Blanco is in error, as habus has nothing to do with the return to her father's house of a divorced woman. Habus is a religious or charitable endowment, and in Morocco it usually takes the form of a property donation to a religious institution, such as a mosque or a saint's tomb. The word implies, always, property which has been set aside; and although Rifians do not admit any notion of "private habus" in theory, they do so in practice. In the Central Atlas, for example, a man who is afraid that his sons will sell his land may put it in a state of habus, as it were, to prevent them from doing so; and while such a notion is unthinkable to Rifians, it is equally unthinkable that a son would sell his father's patrimony! Thus the idea of habus is intimately linked with that of indivision, and, as such, it has a bearing on the position of women with respect to inheritance rules. Although women theoretically inherit both real and movable property, their share almost invariably remains, in practice, in the hands of their fathers or brothers when they marry. Rifians say that it is perfectly permissible for a married women to come back to her father's house and cultivate her property; but that this is an evasion is readily seen from the fact that in Morocco it is men and not women who cultivate property! Thus, in effect, the "men's habus", of a private rather than a religious nature, safeguards a daughter's share of the inheritance--for the sons! For a discussion [113] of this problem in the Sus and Anti-Atlas, see Andre Adam, "Les Origines Ethniques de la Population Marocaine Musulmane de Casablanca", in Anthony F. C. Wallace, Ed., Selected Papers of the Fifth International Congress of Anthropological and Ethnological Sciences, Philadelphia, September 1-9, 1956, Phildelphia: University of Pennsylvania Press, 1960, pp. 371-76 (our reference to p. 372). Adam refers to this problem within the context of temporary emigration of small grocery-store keepers from the Anti-Atlas to Casablanca.

671 [177] the Muslim ruling on inheritance by women), he finds it more convenient to bypass the Shari'a and invoke custom; for he will always find the means to allay any spiritual lack of scruples he might feel through coating his action with a veneer of pious intent (such as what is in effect a habus in favor of men) or of humanitarianism (such as asylum to divorced women, widow inheritance or sororate[10]), at the same time while he satisfies atavistic impulses.

671 114 It is very difficult to make any sort of rigorous comparison between the Shari'a and Rifian custom, owing to the great lack of data and documents dealing with the latter.[11] I might cite a few notes collected by del Nido[12], and some material of Sidi Ahmad bin Muhammad ar-Rhuni, former Minister of Justice and Chief Qadi of the Spanish Zone; but, then again, I am very doubtful that ar-Rhuni's material refers to the tribes of the Rif--certainly none of his documents are Rifian[13].

671 428 562 171 In matters of inheritance, Rifian custom elevates the condition of women more than the Shari'a does, by matching them with men and therefore by distributing the inheritance in equal parts instead of giving women only one-third (sic); but this is only in theory, and has to do with movable property[14]; in houses and in land, women, in fact, get nothing. The basis of this distinction is not at all a capricious one, but obeys to the letter the strong Rifian idea which conceptualizes women as minors in age. For this reason they are given, within the house, such work and responsibility as do not require masculine effort or personnel, a fact which becomes apparent if one studies family organization. Work in the fields is a masculine occupation, as is

671 428 562 housebuilding, although here women help, in return for male protection. Women are disregarded here, for in these aspects of movable property, to the formation of which, in the last analysis, they have not ultimately contributed, they receive nothing. On the other hand, in such work as befits their sex, nothing is denied them (even including cereals, for they contribute to the harvest by reaping grain with a sickle and transporting it, on their backs, to the threshing floor.) This notion is linked with the manner of acquiring property through inheritance, purchase or even through force (i.e. blood vengeance)[15]. Property gained in any other way is illegitimate, and as men are the ones who gain it, they have no reason to divide ir or share it with women.

114 113 D) Points Regarding Arabic Work on Anti-Sunna Traits (fragmentary):

I hereby review a work in Arabic by Muhammad bin 'Ali bin Brahim Aqibli Amshali al-Susi[16], dated 1342 A.H. (1923-4 A.D.), and published by al-Fatimi ibn Muhammad al-Shagadi. In this work the author exhorts 114 798 Berbers to give up practices which are irreverent and contrary to the sunna, the Custom of the Prophet, and lists those which are to be condemned, as follows:

798 796 1) Irreverent Customs at the 'Ashura:[17] Carnivals. The author rejects all forms of bonfires, of costume and of representation, i.e. imitating animals, birds, old men and old women, as well as the use of obscene words and the wearing of transparent clothes. I have myself seen all this practiced in the Rif[18]. Regarding the use of bonfires, it seems that in the Rif they are lit up to smoke the trees as a possible disinfectant[19].

661 and made him pasture the few goats he had. The jma'th or its mqaddim needed money, and so one day they called him up and fined him 65 duros, accusing his mother of incest and saying that if he did not pay up, they would tell the rest of the tribe and it would cost him more. The boy ran away, out of shame.

428 429 685 d) Muhammad Hmidu n 'Abd Allah of Aith Finathen, on the death of his father, was brought up by his grandmother, and when she died, by his cousins, who periodically fed and clothed him in return for his acting as a goatherd for them. They kept and divided up his inheritance in land from his father, and did not give it back to him, in spite of the constant excitement of the qa'id over the matter[76].

J. Responsibility:

672 [671] Collective responsibility as reflected in the qanuns is an amplification of responsibility to one's kin group and even...to the same social ties as those of other tribes (sic)[77]; this forces one's fellow tribesmen to comply with the duty of rectifying an injury or damage caused by one of their own people. It is an instinctive and necessary means of defense, and is done so that crimes will not go unpunished. This is all a consequence of the rudimentary social organization of the Rifians, of the difficulty of inquiry, of the lack of repressive organs[78] and of impartial and dispassionate individuals, such as judges. When independent states multiply and the extension of each one of them diminishes, such factors as the above make extradition (sic) more difficult and impunity more easy; and, for this reason, a group attribute is the obligation to educate (i.e. enculturate) and answer for its components. Thus, when the group publicly claims that

000 [128] 10--Blanco does not, in fact, employ the terms "levirate" and "sororate", and here I confess to having taken liberties with the text; but his meaning is abundantly clear. To readers who want refresher definitions, levirate refers to the practice of a man marrying the widow of his brother (as Coon has pointed out, in the Rif this is usually a junior levirate, meaning that the brother who does the marrying is genereally a younger brother), while sororate refers to the practice of a man marrying his deceased wife's sister.

[113] 11--This is indeed true, and the only published work thus far specifically dealing with any aspect or aspects of Rifian custom, aside from Blanco's own La Ley Rifeña, is José Maria Peniagua, "Notas Sobre el Derecho Consuetudinario de la Propiedad en el Rif", Archivos del Instituto de Estudios Africanos, no. 4, Madrid 1948, pp. 7-44 and ditto, La Prescripción y el Retracto en el Derecho Consuetudinario Rifeño, Madrid: Instituto de Estudios Africanos, 1950. Paniagua's work, particularly the last-mentioned monograph, deals with problems which seem to be almost entirely constructs of a European legal mind, and have no basis in social reality; and such work cannot be considered serious contributions to the study of Berber jural systems.

12--We cannot identify the work to which Blanco refers here.

13--The only work of Sidi Ahmad ar-Rhuni which we know is the Spanish translation of his Historia de Tetuan, Tetuan: Instituto General Franco, 1955, and this contains no allusions whatever, even remote ones, to Rifian custom.

671 ●428 171 114 562 14--This is not so. Under Shari'a regulations, women receive one-half of what men receive, in inheritance, and this is the case for both movable and real property. Granted, of course, that the point in the Rif is largely theoretical and that women in fact, as Blanco points out, generally get nothing (particularly insofar as real property is concerned), it still seems appropriate to correct this error. In any case, we have never heard of any customary variation of normal Shari'a usage, which would allot to women one-third of movable property; and neither have any of my informants. It is one-half in theory, and, as a rule, nothing in practice.

671 428 171 562 Besides the current practice of a woman's father or brothers appropriating, in effect, her share of the patrimony on her marriage (in order to keep it in family hands and to keep in-laws out), there is a second institution which reinforces the notion that women do not inherit. If a man dies leaving only his widow and a daughter or daughters (no sons), his r-waratha (sing. awrith) or remaining agnates stand to inherit, which they would not do even if he had only one son. According to Shari'a regulations, the man's widow gets one-eighth, and then, if he has only one daughter, the rest of the property is divided in half, the daughter getting one-half and the r-waratha getting the other. If, on the other hand, he has more than one daughter, the rest of the property is divided up into three parts, the daughters getting one and the r-waratha getting one. However, even if there is a son or not, certain r-waratha (e.g. mmis n 'azizi, pl. dharwa n 'azizi, father's brother's son), but not others (e.g. uma, pl. aithma, brother, and

671 'azizi, pl. aith 'azizi, father's brother), marry the daughter or
428 daughters in question. The result is, of course, that if they do so,
191 they wind up with the daughters' share in any case. However, although
father's brother's daughter marriage does occur in the Rif, it is not
562 the rule, and this is because the institution of shuf 'ath (called
shafa'a by Berbers in the Central Atlas, and referring to agnates prior-
ity rights over both land and women, especially fathers' brothers'
daughters) in the Rif applies to land only and not to women. Indeed,
[582] there is no single form of preferential marriage, and most people be-
lieve in marrying "further away" than their parallel cousins. As, on
the other hand, parallel cousin marriage is the norm in the Central
Atlas, the same institution there (where r-waratha are termed imkusa)
is more effective in depriving women of their share than it is in the
Rif, where conditions per se in the latter area are considerably less
favorable to such deprivation. The crux of the matter, perhaps, is
this: that the property of a man who leaves no sons, despite what
other heirs or offspring he may have, is always divided up among these
heirs (and here, in practice, is where daughters tend to be left in
the cold, even though informants invariably say that they get their
part), while on the other hand, if there is a single surviving son,
no matter if he is a tiny baby, the patrimony stays pro indiviso.

000 15--What Blanco seems to be getting at here is that men rather than
women inherit and purchase property, or acquire it by right of con-
quest, and that therefore property and its administration rests ex-
clusively in male hands. The contrast is effective, because such
movable property which is involved in the work and everyday tasks of
women (i.e. pottery, chickens, eggs, etc.) does belong to them, and
is not touched by men. Men, for example, may perfectly easily sell
chickens or eggs in the market, and they often do so; but they in-
variably turn the proceeds over to their wives, who have stayed away
from the market as good women should (although they may go to the
women's market two days later) and because of this have asked their
husbands to do these things for them.

16--From his name, a Berber himself, possibly from the Sus (as his
final sobriquet would suggest), but more likely from the Ilimshan
subclan of the southern Ait 'Atta, the so-called 'Iqibliyen" of the
southern slope of the Central Atlas. These facts are indicated in the
first and second point-of-origin designations Aqibli Amshali, the
last mentioned probably being a metathesis of Alimshi, an Arabized
singular form of Ilimshan.

17--The 'ashura refers to the 10th day of the first month of the Muslim
year, Muharram (itself called l-'Ashur in Morocco), and commemorates
the martyrdom of the Prophet's two grandsons, Hasan and Husayn. It is
also, in Morocco, the day when almsgiving (zakah or 'ashur) to the poor
is legally enjoined; this act is, indeed, along with the profession of
faith (Ashhadu an la ilaha illa 'llah wa Muhammad al-rasuluY'llah,
"I testify that there is no god but God and Muhammad is the Messenger
of God"), prayer five times a day, fasting during the month of Ramadan,
and the pilgrimage to Mecca, one of the five arkan al-din, "pillars of
religion", or qawa'id al-Islam, "customs of Islam".

554
556 Within each Riffian community there are individuals and families of differential social status. This differentiation is only partially based on wealth. Such factors as religious piety, descent, reputation and personal integrity also play a role. Prior to the pacification of the Rif skill in warfare and bravery were also markers. For the moment I shall discuss differentiation based on wealth.

556
423 The most important traditional measure of wealth was, and is today, property ownership. The more land one has, the larger a crop one shall harvest and the greater reserves one can put aside for winter fodder. A consequence is the larger number of animals one can maintain and hence the more elaborate one's ritual activities and the greater assistance one can give relatives, neighbors, and friends.

423
428 While large landholdings have a positive value in the Rif, such a goal is rather difficult to achieve because of the inheritance laws. Inheritance is based on the Maliki practice which divides the land amongst the heirs. Each son is allocated a full share and each daughter a half share. The widow (or widows) each receive an eighth of the property. In the absence of sons, the estate is divided so that the widow receives her eighth, while the remainder of the property is divided into three shares with the daughter(s) receiving two shares and the father's brother one share. If there are no children, the estate is divided among the brothers.

423 Property going to females, either to widows or daughters,
428 tends not to be disruptive since their control over their inher-
562 itance is minimized by law and social custom. Because of the
[587] practice of levirate, traditionally the widow's property was merely transferred from the effective management of one brother to that of another. Whether or not the widow marries a brother of her deceased husband, she can in no case sell her property without the permission of her husband's family.

562 The case of daughter inheritance is somewhat more dis-
428 ruptive. While widows generally remain within their deceased
[768] husband's family for the protection this affords, daughters marry out. Thus the daughter as another man's wife has a male champion to press claims for use or sale of the inheritance. To the question of should a man come to farm the land of his wife or demand a portion of its production, my informants state that technically he could do so but that no man would want to do this and that to their knowledge no man has ever done so.

428 The prevailing mechanism for avoiding disputes over the
431 inheritance of a daughter is a gift exchange between a man and
578 his sister's husband. If, for example, A's sister has married B,
182 B holds certain theoretical rights over his wife's land. A, on
607 the other hand, generally cultivates the land. B does not exer-
562 cise his claim, and indeed the community would disapprove if he did so. However, it is also considered appropriate for A when he visits his sister, to give B's household certain goods, processed barley, fruit, or whatever, which compensate for B's

562 428 noninterference in the use of the land inherited by A's sister 431 and B's wife. Another mechanism which achieves reciprocal 578 equality over inheritance is in sister exchange whereby land 182 607 claims are mutually balanced off.

428 Despite the weak claim that daughters exercise over their 423 inheritance, there are certain legal restrictions over their 607 property. A brother cannot sell his sister's land nor construct 562 on it unless he has obtained the prior permission of his sister's husband. Likewise, a husband cannot sell his wife's inherited property unless he has consulted with the woman's brothers, who have first option to purchase the land.

423 The male Riffian has a more solid claim over his inheri- 428 tance and although some families continue to work the land of their father jointly under the administration of the oldest brother, there tends to be a fragmentation of land with each successive generation. This process tends to level out differ- 423 entiations based on property holdings. On the other hand there 183 is no special cultural value placed on "shared poverty." The 556 aggrandizement of property holding is not a goal towards which 425 the community voices disapproval. To buy land increases a man's wealth as well as his prestige, but he is regarded as advancing his children rather than engaging in entrepreneurship or capital development. He is also regarded as maintaining community solidarity, which is quite the opposite of what the entrepreneur does. To alienate land is regarded as a great source of shame in the Rif. The property which one's father passed on should be

7: Mikesell K-4,5 (1955-1957) 1961 MX3 Rif MX3 Senhaja MX4

few notes here will suffice to illustrate the range of difference. The Sanhajans are masters of terracing and irrigation, but in horticultural skill they yield to the Rifians, who are noted also for honey and grapes. The Ulad Stut, thanks to their bedawin origin, are expert in the preparation of milk products. The Ghmarans are northern Morocco's best fishermen, but their skill is limited to the use of skiffs and seines. The Sanhajans are most interested in freshwater fishing, and they may also be the best hunters in the northern zone. These points will be elaborated in chapter vi.

Cultural Uniformity and Diversity

In order to place northern Morocco in proper perspective, we must consider two classes of culture traits: those that are ubiquitous and those that are limited to certain parts of this zone. For example, the Rifian is in many respects quite different from the Ghmaran or Jbalan. He speaks a different language, has different ideas of honor and shame, wears his turban differently, and builds a different type of house. Yet as Moroccans the Rifians, Ghmarans, and Jbalans share ideas and objects that are rare or unknown in other parts of the Muslim world.

All Moroccans, at least in theory, are good Muslims. Islam does not confine itself to ideas and their influence on the spirit of man: it is a religion of force and authority, a system of law, and a basis of government. The influence of Islam is evident in institutions and patterns of behavior that affect the form and function of every village and farmstead. To say that Moroccans are Muslims is to assert that they share ideas and institutions common to the entire Muslim world. Yet it is also true that Islam in Morocco has many unusual features. It is a common saying that Berber culture constitutes the foundation of the Moroccan house, while Arab customs and religion are only the whitewash on the walls.[2]

A distinguishing feature of Moroccan Islam is the elaborate development of brotherhoods and the cult of saints. These heterodox developments seem in part to reflect pre-Islamic beliefs. The Berber tribesman, though he may be ignorant of Arabic, yields to no one in the belief that he is pious and correct. He prays, keeps the fast of Ramadan, and honors those of his tribe who have made the pilgrimage to Mecca. In this sense he is like all Muslims, but, as Hart aptly remarks, he retains local saints to comfort him and local jinns to plague and torment him.[3] One aspect of these beliefs is the superstition that relates to the sanctity of cemeteries and shrines. In chapter vii it will be shown that there is often a marked contrast between the plant cover of sacred land and that of profane land.

Berber kinship terminology, like that of the Arabs, is a bifurcate collateral type.[4] The terms for mother's brother and for father's brother are different, as are the terms for mother's sister and for father's sister. The inheritance of property follows the standard Maliki practice, which allots a share to each son equal to that falling to two daughters. Descent is patrilineal, and the number of pa-

[2] D. M. Hart, "Morocco's Saints and Jinns," *Tomorrow*, 7 (1959), 45–54.
[3] *Ibid*, p. 46.
[4] D. M. Hart, *Morocco: Subcontractor's Monograph* (New Haven: Human Relations Area Files, 1956), pp. 136a–140.

7: Mikesell K-4,5 (1955-1957) 1961 MX3 Rif MX3

Contracts and Coöperation

When tribesmen are unable or unwilling to work their own land, contracts are made between the wealthier and the poorer members of a community; those who have little land or equipment hire themselves out to those who have more. Farmers who have more animals than they or their sons can manage, make agreements with others to care for the herd. The hired shepherds, while the animals are in their hands, receive part of the milk and butter, some of the young that are born, and, if the animals are sold, a share of the profit. The shepherd receives part, sometimes half, of the wool. Full-time employment as a shepherd is considered rather degrading, and for this reason it is the common occupation of exiles and orphans.

Vegetable gardens, orchards, and fields may be cared for by hired laborers. If their job entails the difficult task of setting up terraces, they may get up to a third of the crop. If they perform all the operations necessary for cereal cultivation, they receive a fifth of the crop. If the hired hand needs an assistant during the reaping, the latter is paid with a tenth of the harvest. Associations of this sort are not common; farm labor is ordinarily done by the landowner and his sons.

A second type of association takes place when two farmers own plots of about the same size but do not have enough animals or equipment to work their land independently. The two farmers join forces, each supplying his share, and the harvest is divided between them. This form of coöperation is common when a farmer has only one draft animal. In irrigated areas, one man may supply the land and part of the seed, and another the rest of the seed, the animals, and the plow. Since most communities are kinship groups, coöperation of this sort is usually among brothers or cousins.[12]

Inheritance

The inheritance of property[13] in most of Morocco follows standard Maliki practice, which allots a share to each son equal to that falling to two daughters. When a man dies his widow first receives one-eighth of his property and the remainder is divided among the sons and daughters. All sons inherit equally, as do all daughters. If a man dies leaving a widow and daughters only, the widow gets one-eighth and the remainder is divided into three parts, of which the daughters receive two and the father's brother one. If the father has no brothers, the rest (aside from the widow's share) goes to the daughters. If he does have brothers, and dies leaving only one daughter, she receives half of the property (minus the widow's share) and the brothers get the other half. If a man dies leaving no children, his widow receives a fourth of his property and the rest goes to the brothers. If a man with children dies prior to his father, the children have no right to the property and receive shares only if the grandfather agrees to such a division.

Moroccans are very reluctant to divide up their land. When brothers inherit land they customarily work it jointly, the eldest brother acting as a substitute

[12] On contracts and coöperation, see also A. Sánchez Pérez, "Aprovechamientos comunales y formas de cooperación en el Rif," *Selección de conferencias pronunciadas en la Academia de Interventores durante el curso 1950–51* (Tetuán: Imprenta Cremades, 1951), pp. 95–104.

[13] This paragraph is based upon the remarks of D. M. Hart in *Morocco: Subcontractor's Monograph* (New Haven: Human Relations Area Files, 1956), pp. 141–143.

7: Mikesell K-4,5 (1955-1957) 1961 MX3 Rif MX3

428 423 171 for the father. Division takes place only if the brothers quarrel. Since daughters nearly always marry into other communities, they are usually induced to sell their land.

Hunting and Fishing

224 171 In autumn and winter most men, and especially the mountaineers, spend as much time as possible in search of game. Their chief quarry consists of rabbits, pigeons, and partridges; in former generations they also hunted wild boar, aoudad, and gazelle.[11] Rifles, nets, traps, strones, and clubs are used in hunting. Game may be driven into a net at the base of a palisade. Those who can afford rifles shoot their game, and a generation ago hunters made proficient use of flintlocks. The best time for hunting rabbits is after a snowfall, when they can be traced to their nests. In the Sanhajan highlands such periods are marked by the scurrying about of numerous hunting parties and the incessant barking of dogs.

It is difficult to say whether hunting should be described as a phase of livelihood or merely as a sport. Game evidently makes an appreciable contribution to diet only in the highlands, and even there the year's catch may be limited to a [576] few rabbits and birds. Yet one of the highest compliments you can pay a Moroccan is to call him a "great hunter," and many an evening is spent listening to hunting adventures. Game is usually pursued during the idle period, after the cereals have been sown and before it is time to think of the summer crops. Interest in marksmanship is associated with the old tradition of the gentleman warrior. [411] To the young Rifian, who grows up hearing tales of feuds and wars, there is no greater pleasure than to possess a fine rifle. This seems to have been the motivation of many of the boys who joined the Spanish army or the native *mehalla*.

226 171 Fishing takes place all along the Mediterranean coast. Most of the catch is obtained by seining small fish near the shore. The seine, made of hemp, is carried out about a hundred meters in a small boat. It is attached to two ropes held by men on the beach. When the boat has reached the end of the ropes, the seine is let out in a semicircle. The ropes are then pulled in, gradually lessening the distance between them. When the net is beached, the fish are scooped up in baskets and put in a common pile, later to be divided among the families assisting in the catch.[12]

[175] In the journal of Leo Africanus are several accounts which suggest that fishing was an important industry in the sixteenth century.[13] At Peñón de Vélez he found "such abundance of fish, that one man alone is not able to draw up a net." He notes that fish from Peñón de Vélez were "salted and sent up into the mountains." At Terga, near Wad Lao, most of the inhabitants were fisherman "who, getting great abundance of fish, salt them and carry them to sell almost a hundred miles southward." At Tiguisas, on the Ghmaran coast, all the inhabitants were "fishers and seafaring men," and the smell of their fish "miserably infecteth the whole province." Even if these reports are exaggerated, it seems likely that fishing was

[113] [11] For a Spanish sportsman's account of game in northern Morocco see G. Durán Pulis, *La caza en Marruecos* (Las Palmas: Imprenta Minerva, 1955). Note also the brief remarks of Coon, "Tribes of the Rif," pp. 37–38, cited in note 5.

[113] [12] On the details of this operation, see Ignacio del Cubillo, "Actividades marítimas de la zona de protectorado de España en Marruecos," *Conferencias desarrolladas en la Academia de Interventores durante el curso de 1947* (Tetuán: Imprenta del Majzen, 1948). The boat is illustrated in Rackow, *op. cit.*, plate XLIX, cited in note 8.

[13] Leo Africanus, *The History and Description of Africa*, II, 517–520.